



MICHIGAN DEPARTMENT OF STATE  
Candice S. Miller, Secretary of State

Lansing, Michigan 48918-0001

STATE HISTORIC PRESERVATION OFFICE  
Michigan Historical Center  
717 West Allegan Street  
Lansing, Michigan 48918-1800

September 26, 2000

H JOHN DOBROVOLNY  
FISH AND WILDLIFE SERVICE  
BISHOP HENRY WHIPPLE FEDERAL BUILDING  
1 FEDERAL DRIVE  
FORT SNELLING MN 55111-4056

RE: ER-98-397 Phase I Cultural Resource Survey, Magic Carpet Development Site, Leelenau  
Township, Leelenau County (FWS)

Dear Mr. Dobrovolny:

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the report entitled *Cultural Resource Inventory Survey: Magic Carpet Development Site, Leelenau Township, Leelenau County, Michigan*, prepared by Great Lakes Research Associates, Inc. (GLRA). As the report points out, there are several archaeological sites which are either within, partially within, or adjacent to the project area. Site 20LU79, which, according to an informant, is a Native American burial ground, is located adjacent to, but outside, the project area. Sites 20LU78 and 20LU18 appear to be mainly outside of the project area. It appeared that there was a possibility that a portion of site 20LU78 might extend into the project area in the vicinity of Lot 14. However, the archaeological survey recovered only a single piece of fire-cracked rock near the lakeshore. No other evidence for the presence of an archaeological site in Lot 14 was found. Similarly, it also appeared that a small portion of site 20LU18 may extend into the project area. Even if that were the case, that portion of the project area will be placed in a permanent conservation easement which would protect any archaeological resources present.

Site 20LU134, a small, rural, residential site, is located within the project area. The site location is also, however, within the conservation easement. This should effectively protect the site from disturbance. In the report, GLRA suggests that 20LU134 is potentially eligible for listing in the National Register of Historic Places (NRHP). If this site is ever threatened by any type of ground-disturbing activity, it should be formally evaluated for NRHP eligibility.

Site 20LU77 is located within the project area. According to an informant, 20LU77 includes graves located on either side of the Magic Carpet Trail. The informant also noted that her recollection was that the graves were not immediately adjacent to the road, but were some distance away from the road to both the east and west. GLRA's survey produced no evidence for the presence of graves in the Magic Carpet Trail. They go on to point out, however, that in the absence of grave markers, physical evidence of graves may be extremely difficult to find. The possible presence of graves makes the Magic Carpet Trail vicinity a very sensitive area. As the report indicates, the graves may not be close to the trail, and its possible that the graves may be within the conservation easement. Nonetheless, there may also be other graves in the area that are not known to the informant. Given the sensitivity of the area, GLRA

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\_\_\_\_ Library  
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recommends that proposed work on the Magic Carpet Trail be monitored by a professional archaeologist. We support this recommendation and request that any ground-disturbing work that takes place along and in the vicinity of the trail, especially in the general area of 20LU77, be monitored by a professional archaeologist.

Contingent upon the monitoring requirement outlined above, it is the opinion of the State Historic Preservation Officer (SHPO) that no historic properties are affected within the area of potential effects of this undertaking.

Your letter of August 11 also indicates that five Indian tribes are being notified about this project. If it has not already been done, we strongly recommend that consultation with those tribes include notification that there is the possibility that Native American burials may be present in the project area. It is also important to discuss with the tribes procedures for notification in the event that burials are inadvertently encountered during the project. For your information, we are also enclosing a copy of the Michigan Attorney General's opinion concerning legal obligations in the event of the accidental discovery of human remains.

The State Historic Preservation Office is not the office of record for this undertaking. You are therefore asked to maintain a copy of this letter with your environmental review record for this undertaking. If the scope of work changes in any way, or if artifacts or bones are discovered, please notify this office immediately.

This letter evidences Fish and Wildlife's compliance with 36 CFR § 800.4, "Identification of historic properties", and the fulfillment of Fish and Wildlife's responsibility to notify the SHPO, as a consulting party in the Section 106 process, under 36 CFR § 800.4(d)(1), "No historic properties affected".

If you have any questions, please contact Martha MacFarlane-Faes, Environmental Review Coordinator, at (517) 335-2721. Please reference our project number in all communication with our office regarding this undertaking. Thank you for this opportunity to review and comment.

Sincerely,



Brian D. Conway  
State Historic Preservation Officer

BDC:DLA

copy: Craig Czarniecki, USFWS ✓